APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,999	01/16/2002	Mansoor Lakhdhir	AUS920010581US1	6331

35525 7590 02/04/2008		

IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

EXAMINER
PAULA, CESAR B

ART UNIT	PAPER NUMBER
2178	

NOTIFICATION DATE	DELIVERY MODE
02/04/2008	ELECTRONIC

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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Ex parte MANSOOR LAKHDHIR,
MIKE V. MACIAS, JAGDISH D. MASSAND,
and MELINDA YUKI McMILLAN

_____

Appeal 2007-0804
Application 10/046,999[1]
Technology Center 2100

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Decided: January 31, 2008

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Before KENNETH W. HAIRSTON, LEE E. BARRETT, and
MAHSHID D. SAADAT, *Administrative Patent Judges.*

BARRETT, *Administrative Patent Judge.*

DECISION ON APPEAL

1 This is a decision on appeal under 35 U.S.C. § 134(a) from the final

rejection of claims 1, 2, 4-13, 17, 18, 20-29, 33, 34, and 36-44. Claims 3,

14-16, 19, 30-32, 35, and 45 have been canceled. We have jurisdiction

pursuant to 35 U.S.C. § 6(b).

We reverse.

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[1]   Application for patent filed January 16, 2002, entitled "Offline
Dynamic Web Page Generation."

BACKGROUND

The invention relates to a method, computer program product, and data processing system for rendering Web pages containing dynamic data. Dynamic data is data that is subject to change over time. A rendering program executes "at regular intervals or when dynamic content changes" to render Web documents from source documents, base strings for various visual features, database information, and descriptive text. The resulting document is stored on the Web server for quick retrieval with little or no additional document processing. *See* Abstract.

Claim 1 is illustrative:

1. A method of maintaining a web page, comprising the computer-implemented steps:

   at regular intervals or when dynamic content changes, performing the following steps:

      retrieving a source document for said web page;

      locating a plurality of command strings within said source document, wherein each command string of said plurality of command strings includes a respective element type and at least one respective element parameter;

      retrieving a respective base string corresponding to said respective element type;

      modifying said respective base string according to said at least one respective element parameter to obtain a respective rendered string;

replacing said respective command string in said source document with said respective rendered string;

after said retrieving, locating, modifying, and replacing steps, saving said source document as a current web page;

whereby a server responding to a request for dynamic content does not need to render the dynamic content.

THE REFERENCES

Donohue	US 5,987,480	Nov. 16, 1999
Agrawal	US 2002/0004813 A1	Jan. 10, 2002
Lakritz	US 6,623,529 B1	Sep. 23, 2003
		(filed Jan. 28, 1999)
Schneider	US 6,760,746 B1	Jul. 6, 2004
		(filed Aug. 31, 2000)

THE REJECTIONS

Claims 1, 2, 4, 6-8, 11-13, 17, 18, 20, 22-24, 27-29, 33, 34, 36, 38-40, 43, and 44 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Donohue and Agrawal.

Claims 5, 21, and 37 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Donohue and Agrawal, further in view of Schneider.

Claims 9, 10, 25, 26, 41, and 42 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Donohue and Agrawal, further in view of Lakritz.

DISCUSSION

The claims are argued to stand or fall together with claim 1.

The Examiner finds that Donohue teaches the claimed invention except for the limitation that "a server responding to a request for dynamic content does not need to render the dynamic content" (Final Rejection 5; Ans. 5). The Examiner finds that "Agrawal teaches saving a web page so that a server responding to a request does not need to render the dynamic content (p. 1, para. 10)" (*id.*) and concludes that it would have been obvious to modify Donohue to save the Web page so that the server does not have to render the page upon request, as taught by Agrawal, "because saving a web page so that the server doesn't have to render the content . . . would allow for quicker display of web pages since the web page only has to be retrieved instead of the dynamic content being rendered in the page" (Final Rejection 5; Ans. 6).

Appellants argue that the rejection does not address the limitation of performing the steps "at regular intervals or when dynamic content changes," as recited in the independent claims (Br. 10). It is argued that performing the steps "at regular intervals or when dynamic content changes" has the consequence that "a server responding to a request for dynamic content does not need to render the dynamic content." It is argued that Agrawal creates a Web page and saves it to a cache, and the server will sometimes be able to find a page in case and sometimes have to dynamically generate it, but Agrawal does not perform all the steps of creating the

dynamic Web page either "at regular intervals" or "when dynamic content changes," i.e., at times other than when the page is required (Br. 11).

The Examiner responds that she disagrees

> because Agrawal teaches performing steps to maintain a webpage when the dynamic content has changed (p. 1, para. 10) since Agrawal teaches regenerating and caching a dynamic webpage when the cached version is invalid (stale), meaning the content of the webpage has changed since the last caching. The current version of the webpage is cached so that a server does not have to render the dynamic content each time the page is accessed.

Ans. 12.

We agree with Appellants that the rejection does not address the limitation of performing the steps "at regular intervals or when dynamic content changes." Paragraph 10 of Agrawal, which is relied upon by the Examiner, discusses the importance of caching to avoid having to dynamically generate Web pages for every request. Agrawal discloses that when a request for a Web page is received by a server over a network, the server checks its cache to see if the entire Web page is stored in the cache. If the requested page is present in the cache and if the response page is still valid, the page is extracted from the cache and sent to the client. If the entire requested page is not present in the cache or is present but invalid (stale), application logic and/or the Web page's script is executed to dynamically generate the Web page, send it to the client, and cache the just-generated full page. Agrawal discusses an improvement which caches smaller blocks instead of a full page, which is not relevant to this discussion.

Thus, in Agrawal, dynamic content is updated in response to a request for a page if the page is stale, *not* "at regular intervals or when dynamic content changes." It is true that in both the claimed invention and Agrawal, "a server responding to a request for dynamic content does not need to render the dynamic content" because the page is already saved. However, this does not mean that the result is achieved in the same way. In Agrawal the page is saved in response to a request for the page, while in the claimed invention the page is saved "at regular intervals or when dynamic content changes." This aspect of the invention is reflected in the title of the application: "***Offline*** Dynamic Web Page Generation" (emphasis added). We agree with Appellants that Donohue and Agrawal "create the dynamic web page in response to a request for the page, not as a separate act that creates the page <u>before</u> it is requested" (Br. 11-12). Since the combination of Donohue and Agrawal does not teach the limitation of performing the steps "at regular intervals or when dynamic content changes," it is unnecessary to address Appellants' second argument that one of ordinary skill in the art would not have used the suggested motivation to combine these two references. The rejections of claims 1, 2, 4-13, 17, 18, 20-29, 33, 34, and 36-44 are reversed.

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<u>REVERSED</u>

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IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX   75380

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